

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-01410-TSC**

BUZZFEED INC. v. FOOD AND DRUG ADMINISTRATION et al
Assigned to: Judge Tanya S. Chutkan
Cause: 05:552 Freedom of Information Act

Date Filed: 05/15/2019
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

BUZZFEED INC.

represented by **Matthew Topic**
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V.

Defendant

**FOOD AND DRUG
ADMINISTRATION**

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Defendant

**U.S. DEPARTMENT OF HEALTH
AND HUMAN SERVICES**

represented by **Darrell C. Valdez**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**U.S. ARMY MEDICAL RESEARCH
AND MATERIEL COMMAND**

represented by **Darrell C. Valdez**
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TERMINATED: 07/16/2019

Defendant

U.S. DEPARTMENT OF DEFENSE

represented by **Darrell C. Valdez**
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Date Filed	#	Docket Text
05/15/2019	<u>1</u>	COMPLAINT against FOOD AND DRUG ADMINISTRATION, U.S. ARMY MEDICAL RESEARCH AND MATERIEL COMMAND, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (Filing fee \$ 400 receipt number 0090-6126288) filed by BUZZFEED INC.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Civil Cover Sheet Civil Cover Sheet, # <u>11</u> Summons Summons)(Topic, Matthew) (Entered: 05/15/2019)
05/15/2019	<u>2</u>	NOTICE of Appearance by Matthew Topic on behalf of BUZZFEED INC. (Topic, Matthew) (Entered: 05/15/2019)
05/15/2019	<u>3</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by BUZZFEED INC. (Topic, Matthew) (Entered: 05/15/2019)
05/16/2019		Case Assigned to Judge Tanya S. Chutkan. (zef,) (Entered: 05/16/2019)
05/16/2019	<u>4</u>	SUMMONS (6) Issued Electronically as to FOOD AND DRUG ADMINISTRATION, U.S. ARMY MEDICAL RESEARCH AND MATERIEL COMMAND, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 05/16/2019)
06/19/2019	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FOOD AND DRUG ADMINISTRATION served on 5/30/2019 (Topic, Matthew) (Entered: 06/19/2019)
06/19/2019	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES served on 5/29/2019 (Topic, Matthew) (Entered: 06/19/2019)
06/19/2019	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF DEFENSE served on 5/31/2019 (Topic, Matthew) (Entered: 06/19/2019)
06/19/2019	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 5/28/2019. (Topic, Matthew) (Entered: 06/19/2019)
06/19/2019	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/29/2019.

		Answer due for ALL FEDERAL DEFENDANTS by 6/28/2019. (Topic, Matthew) (Entered: 06/19/2019)
06/19/2019	<u>10</u>	REQUEST FOR SUMMONS TO ISSUE filed by BUZZFEED INC..(Topic, Matthew) (Entered: 06/19/2019)
06/20/2019	<u>11</u>	SUMMONS (1) Re-Issued Electronically as to U.S. ARMY MEDICAL RESEARCH AND MATERIEL COMMAND. (ztd) Modified on 6/21/2019 (znmw). (Entered: 06/20/2019)
06/27/2019	<u>12</u>	NOTICE of Appearance by Roberto Cesar Martens, Jr on behalf of U.S. ARMY MEDICAL RESEARCH AND MATERIEL COMMAND (Martens, Roberto) (Entered: 06/27/2019)
06/27/2019	<u>13</u>	NOTICE of Appearance by Darrell C. Valdez on behalf of All Defendants (Valdez, Darrell) (Entered: 06/27/2019)
06/27/2019	<u>14</u>	ANSWER to Complaint by FOOD AND DRUG ADMINISTRATION, U.S. ARMY MEDICAL RESEARCH AND MATERIEL COMMAND, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES.(Valdez, Darrell) (Entered: 06/27/2019)
06/27/2019		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule shall address the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues no later than 8/1/19. The joint status report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 6/27/19. (DJS) (Entered: 06/27/2019)
06/28/2019		Set/Reset Deadline: Joint Status Report due by 8/1/2019. (jth) (Entered: 06/28/2019)
07/09/2019	<u>15</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. ARMY MEDICAL RESEARCH AND MATERIEL COMMAND served on 6/10/2019 (Topic, Matthew) (Entered: 07/09/2019)
07/16/2019	<u>16</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Jeremy Allen Haugh on behalf of U.S. ARMY MEDICAL RESEARCH AND MATERIEL COMMAND Substituting for attorney Roberto Martens (Haugh, Jeremy) (Entered: 07/16/2019)
08/01/2019	<u>17</u>	Joint STATUS REPORT by FOOD AND DRUG ADMINISTRATION, U.S. ARMY MEDICAL RESEARCH AND MATERIEL COMMAND, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Text of Proposed Order)(Haugh, Jeremy) (Entered: 08/01/2019)
08/01/2019		MINUTE ORDER: The parties shall file a Joint Status Report by September 30, 2019. Signed by Judge Tanya S. Chutkan on 8/1/2019. (lctsc3) (Entered: 08/01/2019)
08/05/2019		Set/Reset Deadlines: Joint Status Report due by 9/30/2019. (tb) (Entered: 08/05/2019)
08/06/2019	<u>18</u>	NOTICE of Appearance by Merrick Jason Wayne on behalf of BUZZFEED INC. (Wayne, Merrick) (Entered: 08/06/2019)
09/30/2019	<u>19</u>	Joint STATUS REPORT by FOOD AND DRUG ADMINISTRATION, U.S. ARMY MEDICAL RESEARCH AND MATERIEL COMMAND, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Text of Proposed Order)(Haugh, Jeremy) (Entered: 09/30/2019)
10/01/2019		NOTICE OF ERROR re <u>19</u> Status Report; emailed to jeremy.haugh@usdoj.gov, cc'd 5 associated attorneys -- The PDF file you docketed contained errors: 1. Do not Refile. Reminder, if you are electronically filing, your names must be on the signature line of the document(s). (ztd,) (Entered: 10/01/2019)

10/17/2019		MINUTE ORDER: Having considered the parties' joint status report <u>19</u> , it is hereby ordered that the parties shall file another joint status by January 31, 2020. The report shall address the status of Defendants' productions, whether a Vaughn index will be required in this case, whether and when any party anticipates filing a dispositive motion, and any other pertinent issues. The status report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 10/17/19. (DJS) (Entered: 10/17/2019)
10/18/2019		Set/Reset Deadlines: Joint Status Report due by 1/31/2020. (tb) (Entered: 10/18/2019)